

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Matthew G. O'Brien,
Complainant

Report of Hearing Officer

against

Docket #FIC79-156

Town of Avon; and Superintendent
of Schools of the Town of Avon,
Respondents

February , 1980

The above captioned matter was heard as a contested case on February 7, 1980, at which time the complainant and the respondents appeared, stipulated to certain facts, and presented testimony and argument on the complaint.

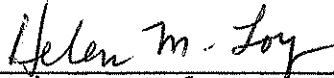
After consideration of the entire record, the following facts are found:

1. The respondents are public agencies as defined by §1-18a(a), G.S.
2. On May 29, 1979, the complainant wrote to Dr. Pandescio, Superintendent of Schools, requesting the names and residential addresses of all Avon public school employees.
3. On July 17, 1979, Dr. Pandescio sent a letter to the complainant communicating a denial of the requested information.
4. From such denial, the complainant sent a letter of complaint to this Commission which was received and filed herewith on July 19, 1979.
5. The respondents keep and maintain a list of the names and residential addresses of uncertified personnel, which they have agreed to provide the complainant.
6. However, no such list exists with respect to the school system's certified personnel. In this regard, the information requested exists separately on a single sheet of paper with respect to each of some 175 certified employees.
7. The respondents agreed to comply with the complainant's request, not by creating a list which does not exist, but by photocopying the approximately 175 pages relating to the certified employees in question.
8. The respondents' tender of compliance brings the total number of pages to be photocopied by them to approximately 183, which they have agreed to produce within 10 days of their receipt of payment therefor, at a fee of 25¢ per page.

9. The complainant is fully satisfied with the respondents' tender of compliance.

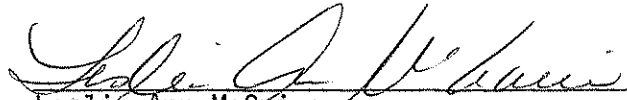
The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

1. The complaint is dismissed on the basis of the agreement reached between the parties.



Commissioner Helen M. Loy
as Hearing Officer

Approved by order of the Freedom of Information Commission on March 12, 1980.



Leslie Ann McGuire
Clerk of the Commission